

**United States Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007**

ROBERT A. KATZMANN
CHIEF JUDGE

Date: January 18, 2019
Docket #: 18-3585ag
Short Title: Cayuga Medical Center v. National Labor
Relations Board

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

Agency #: 03-CA-185233
Agency: NLRB Agency #: 03-
CA-186047
Agency: NLRB Agency #: 03-
CA-185233
Agency: NLRB Agency #: 03-
CA-186047
Agency: NLRB

NOTICE OF DEFECTIVE FILING

On January 17, 2019 the LR 31.2 Scheduling Notification, on behalf of the Petitioner-Cross-Respondent Cayuga Medical Center, was submitted in the above referenced case. The document does not comply with the FRAP or the Court's Local Rules for the following reason(s):

- ☐ Failure to submit acknowledgment and notice of appearance (*Local Rule 12.3*)
- ☐ Failure to file the Record on Appeal (*FRAP 10, FRAP 11*)
- ☐ Missing motion information statement (*T-1080 - Local Rule 27.1*)
- ☐ Missing supporting papers for motion (e.g, affidavit/affirmation/declaration) (*FRAP 27*)
- ☐ Insufficient number of copies (*Local Rules: 21.1, 27.1, 30.1, 31.1*)
- ☐ Improper proof of service (*FRAP 25*)
 - ☐ Missing proof of service
 - ☐ Served to an incorrect address
 - ☐ Incomplete service (*Anders v. California 386 U.S. 738 (1967)*)
- ☐ Failure to submit document in digital format (*Local Rule 25.1*)
- ☒ Not Text-Searchable (*Local Rule 25.1, Local Rules 25.2*), click [here](#) for instructions on how to make PDFs text searchable
- ☐ Failure to file appendix on CD-ROM (*Local Rule 25.1, Local Rules 25.2*)
- ☐ Failure to file special appendix (*Local Rule 32.1*)
- ☐ Defective cover (*FRAP 32*)
 - ☐ Incorrect caption (*FRAP 32*)
 - ☐ Wrong color cover (*FRAP 32*)
 - ☐ Docket number font too small (*Local Rule 32.1*)
- ☐ Incorrect pagination, click [here](#) for instructions on how to paginate PDFs (*Local Rule 32.1*)

____ Incorrect font (*FRAP* 32)
____ Oversized filing (*FRAP* 27 (*motion*), *FRAP* 32 (*brief*))
____ Missing Amicus Curiae filing or motion (*Local Rule* 29.1)
____ Untimely filing
____ Incorrect Filing Event
☒ Other: **Please file the LR 31.2 Scheduling Notification only in docket # 18-3585, uncheck the box do not spread the filing event to the consolidated appeal.**

Please cure the defect(s) and resubmit the document, with the required copies if necessary, no later than January 22, 2019. The resubmitted documents, if compliant with FRAP and the Local Rules, will be deemed timely filed.

Failure to cure the defect(s) by the date set forth above will result in the document being stricken. An appellant's failure to cure a defective filing may result in the dismissal of the appeal.

Inquiries regarding this case may be directed to 212-857-8523.